

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

JERRY W. HAMILTON, )  
Plaintiff, )  
vs. ) CIVIL ACTION NO. 11-00007-KD-N  
COLDWELL BANKER MORTGAGE, )  
*et al.*, )  
Defendants. )

**ORDER**

After due and proper consideration of all pleadings in this file, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge dated May 3, 2011 and made under 28 U.S.C. § 636 is **ADOPTED** as the opinion of this Court.

The Court finds that the Defendants have failed to prove that the amount in controversy exceeds the sum of \$75,000, as required by 28 U.S.C. § 1332 and that the Court therefore lacks jurisdiction over this action.

Accordingly, it is **ORDERED** that the Plaintiff's Motion to Remand (Doc. 7) is **GRANTED** and this action is **REMANDED** to the Circuit Court of Mobile County, Alabama.

**DONE** and **ORDERED** this the 18<sup>th</sup> day of **May 2011**.

/s/ Kristi K. DuBose  
**KRISTI K. DUBOSE**  
**UNITED STATES DISTRICT JUDGE**